

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)
XO COMMUNICATIONS SERVICES, INC.,)
for a temporary license to provide local exchange)
services in the LATA exchanges currently served)
by Verizon North Inc., Contel of the South, Inc.,)
d/b/a Verizon North Systems, and SBC Michigan.)
_____)

Case No. U-14376

At the December 21, 2004 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. J. Peter Lark, Chair
Hon. Robert B. Nelson, Commissioner
Hon. Laura Chappelle, Commissioner

OPINION AND ORDER

On December 3, 2004, XO Communications Services, Inc. (XO Communications), filed an application, pursuant to the Michigan Telecommunications Act (MTA), MCL 484.2101 et seq., for a license to provide basic local exchange service in the LATA exchanges served by Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and SBC Michigan. It also requested a temporary license.

MCL 484.2301(2) states: "Pending a determination of an application for a license, the commission without notice and hearing may issue a temporary license for a period not to exceed 1 year." XO Communications states that it seeks a temporary license to allow it to promptly complete the restructuring described in the application and commence service in the State of Michigan.

After a review of the application and testimony, the Commission finds that approval of the application is in the public interest.

The Commission FINDS that:

- a. Jurisdiction is pursuant to 1991 PA 179, as amended, MCL 484.2101 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.
- b. XO Communications should be granted a temporary license.

THEREFORE, IT IS ORDERED that:

A. XO Communications Services, Inc., is granted a temporary license to provide basic local exchange service in the LATA exchanges served by Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems, and SBC Michigan. The temporary license shall expire upon issuance of the final order granting or denying its application for a permanent license.

B. XO Communications Services, Inc., shall provide basic local exchange service under the temporary license in accordance with the regulatory requirements specified in the Michigan Telecommunications Act, MCL 484.2101 et seq., including the number portability provisions of Section 358, the anti-slamming procedures adopted in Case No. U-11900, and the number reclamation process adopted in Case No. U-12703.

C. Before commencing basic local exchange service under the temporary license, XO Communications Services, Inc., shall submit its tariff reflecting the services that it will offer and identifying the exchanges in which it will offer service.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

/s/ J. Peter Lark

Chair

(S E A L)

/s/ Robert B. Nelson

Commissioner

/s/ Laura Chappelle

Commissioner

By its action of December 21, 2004.

/s/ Mary Jo Kunkle

Its Executive Secretary

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MICHIGAN PUBLIC SERVICE COMMISSION

Chair

Commissioner

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By its action of December 21, 2004.

Its Executive Secretary

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Suggested Minute:

“Adopt and issue order dated December 21, 2004 granting XO Communications Services, Inc., a temporary license to provide basic local exchange service, as set forth in the order.”